

CIVIL CAUSE FOR CONFERENCE: Oral ArgumentBefore JUDGE: GLEESONDATE: 6/26/2014 TIME: 11:00 Am - 12:30pmDocket Number: 13CV1224TITLE: Simels v. United States of AmericaCourtroom Deputy: Ilene LeeCR: Victoria Butler

## APPEARANCES:

FOR Petitioner: Donald F. Samuel andFOR PLAINTIFF: Richard Klugh.

FOR DEFENDANT: \_\_\_\_\_

FOR Respondent: Una A. Dean, AUSA.☒ CASE CALLED.

\_\_\_\_ COUNSEL FOR \_\_\_\_\_ NOT PRESENT.

\_\_\_\_ STATUS CONFERENCE HELD. \_\_\_\_ PRE-MOTION CONFERENCE HELD.

\_\_\_\_ CASE MARKED READY FOR JURY TRIAL ON \_\_\_\_\_ @ \_\_\_\_\_.

\_\_\_\_ PARTIES ADVISE THE COURT THAT THE CASE HAS BEEN SETTLED.

\_\_\_\_ ALL DISCOVERY TO BE COMPLETED BY \_\_\_\_\_.

☒ Petitioner's MOTION TO Vacate / Correct Illegal Sentence (2255) [1].  
" Motion to Vacate Conviction (Rule 33) [25].

## BRIEFING SCHEDULE:

Motion due: \_\_\_\_\_ Opposition/Response due: \_\_\_\_\_ Replies due: \_\_\_\_\_

☒ ORAL ARGUMENT/MOTION HEARING HELD \_\_\_\_ Motion GRANTED ☒ Motion DENIED\_\_\_\_ DECISION RESERVED ☒ DECISION READ INTO THE RECORD.

\_\_\_\_ DECISION IS TAKEN UNDER SUBMISSION.

- The petitioner's request for an evidentiary hearing is denied.
- The two motions by the petitioner is also denied. ([1] and [25].)
- The Court's decision is read into the record.
- No certificate of appealability shall be issued.